

(23)

4-16-01

SC

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

ORIGINAL

JOHN CHARLES KENNEY,
Plaintiff,

Civ. No. 1:CV-00-2143

v.

(Hon. Judge ~~EBER~~ ~~Bo~~, presiding
HARRISBURG, PA

JAKE MENDEZ, Warden, et al.,
Defendants.

APR 09 2001

MARY E. D'ANDREA, CLERK
Per [Signature]

PROSE NOTICE OF APPEAL TO U.S. DISTRICT COURT

NOW COMES PLAINTIFF, John Charles Kenney, acting pro se in the above captioned civil proceeding. Kenney hereby wishes to Appeal a recent ruling from a U.S. Magistrate Judge Blewitt, Scranton Civil Division. That on Wednesday, March 28, 2001, Kenney received a single document reflecting that Defendants were granted a stay by Mag. Blewitt to stay the case. Kenney on 3/27/01 had filed in opposition to defendants stay-motion, dated 3/26/01. Kenney's pro se motion was supported by a brief, and was filed in this Court on 3/27/01. As a result, Kenney hereby appeals pursuant to 28 U.S.C.A. 636(c)(4), and Civ. R. 73(d). Basis for Kenney's appeal are contained in his motion to this Honorable Court, dated 3/27/01.

Dated: 4/4/01

Respectfully submitted,
[Signature] #05238-041
Mr. John Charles Kenney

IN THE UNITED STATES DISTRICT COURT
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ORIGINAL

JOHN CHARLES KENNEY,
Plaintiff,

Civ. No. 1:CV-00-2143

v.

(Hon. Judge ~~FRED~~ Rambo, presiding
HARRISBURG, PA

JAKE MENDEZ, Warden, et al.,
Defendants.

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MARY E. D'ANDREA, Clerk
Per [Signature]

PROOF OF SERVICE BY AN INCARCERATED LITIGANT

I, John Charles Kenney certifies that on Wednesday, March 4, 2001, I forwarded a true and correct carbon copy of a Prose Notice Of Appeal to the below party pursuant to the provisions of 28 U.S.C.A. 636(c)(4), and Civ. R. 73(d). Further, I certify that said document was placed in a postpaid envelope addressed to the below named party. I given this correspondence to prison officials to mail pursuant to Houston v. Lack, 487 U.S. 266, 271 (1988).

ADDRESSEE:

Mr. Dulce Donovan
Assistant U.S. Attorney
Civil Division
Federal Building, Ste. 316
240 West Third Street
Williamsport PA 17701-6465

Dated: 4/4/01

Respectfully submitted,
Kenney #05238-041